

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE THE APPLICATION OF KATE
O'KEEFFE FOR ASSISTANCE
BEFORE A FOREIGN TRIBUNAL

Civil Action No. 14-5835 (WJM)

EX-PARTE ORDER PURSUANT TO
28 U.S.C. § 1782

THIS MATTER having come before the Court upon the Application of Ms. Kate O'Keeffe ("O'Keeffe") for an *ex-parte* Order to take discovery for use in a foreign proceeding pursuant to 28 U.S.C. § 1782;

and the Application seeking permission to serve the subpoena attached as Exhibit A to the Declaration of Laura R. Handman, Esq. [ECF 4-2];

and the Court having carefully reviewed the Application, the supporting Declaration, and the Subpoena attached as Exhibit A;

and it appearing that the requirements of 28 U.S.C. § 1782 have been satisfied;

and for good cause shown;

IT IS on this 30th day of September 2014,

ORDERED that, the Application is **granted** and that O'Keeffe, therefore, is authorized, pursuant to 28 U.S.C. § 1782, Local Civil Rule 27.1 and the Federal Rules of

Civil Procedure, to serve the subpoena attached as Exhibit A on Mr. Kirk A. Thorell; and it is further

ORDERED that, a copy of this Order should accompany any subpoena served on Mr. Thorell; and it is further

ORDERED that, Ms. O’Keeffe’s counsel, Robert D. Balin, Esq. of the law firm Davis Wright Tremaine LLP, is authorized to issue and sign the subpoena and cause it to be served on Mr. Thorell; and it is further

ORDERED that, Mr. Thorell retains all rights under the Federal Rules of Civil Procedure if he is served with the subpoena, including, but not limited to, the right to file a motion to quash or modify the subpoena; and it is further

ORDERED that, any parties opposing O’Keeffe in the foreign proceeding, e.g., Mr. Adelson, are also entitled to file whatever applications he deems appropriate if permitted by the Federal Rules of Civil Procedure; and it is further

ORDERED that, the subpoena should be served not later than 15 days from the date of this Order.

s/Mark Falk
MARK FALK
United States Magistrate Judge

DATED: September 30, 2014